

**MINUTES OF SPECIAL MEETING  
ILLINOIS GAMING BOARD  
December 20, 2005  
CHICAGO, ILLINOIS**

NOTE: ITEMS IN **BOLDFACE PRINT** REFLECT OFFICIAL BOARD ACTIONS

On Thursday, December 20, 2005 a Regular Meeting of the Illinois Gaming Board (“Board”) was held in the conference room of the Gaming Board Offices on the 3<sup>rd</sup> floor at 160 N. LaSalle for closed session.

The following Board Members were present: Chairman Aaron Jaffe, Members Charles Gardner, Joseph Moore, Eugene Winkler and James Sullivan.

At 9:40 A.M. Chairman Jaffe called the meeting to order. Pursuant to Section 2(c), paragraphs (1), (4), (11) and (14) of the Open Meetings Act and Section 6(d) of the Riverboat Gambling Act, Member Gardner moved that **the Board retire to Closed Session to discuss the items listed under Closed Session on today’s agenda and relating to the following subject matters:**

1. **Personnel matters;**
2. **Evidence and testimony presented in disciplinary hearings;**
3. **Pending Litigation; and**
4. **Investigations concerning applicants and licensees.**

Member Winkler seconded the motion. The Board approved the motion unanimously by roll call vote.

The Board convened its Open session at 11:40 P.M. pursuant to motion.

Proposed Complaints and Disciplinary Actions

Bruce Scott, Bartender

Chief Counsel Fries stated that staff would be asking for authorization to file a disciplinary action against Bruce Scott. Chief Counsel Fries stated that Scott is an occupational licensee level 3 at the Casino Rock Island. Mr. Scott is a bartender. Mr. Scott was stopped by the Rock Island Police for a traffic violation at which time he represented his identity and date of birth to the police. After a pat down of the person a different identification card was located with a different date of birth. The officer performed a license check at that time and it was discovered that Mr. Scott’s driver’s license had been revoked by the State of Illinois. Mr. Scott was convicted of Attempt Obstruction of Justice, a crime of dishonesty, which makes him ineligible for licensure.

Based on the staff's investigation and recommendation, Member Winkler moved that **the Board issue a Disciplinary Complaint against Bruce Scott, a Level 3 Occupational Licensee, for failing to comply with the Illinois Riverboat Gambling Act and the Board's Adopted Rules in relation to his conviction for Attempt Obstruction of Justice.**

Further, Member Winkler moved that **the Board revoke Mr. Scott's Occupational License. Said action to take affect twenty-one (21) days from the date of service of this complaint unless the licensee files an Answer within that time period.** Member Gardner seconded the motion. The Board approved the motion unanimously by roll call vote.

#### Administrative Hearings/ALJ Complaints

In Re: The Disciplinary Action of Emerald Casino, Inc., DC-01-05  
ALJ Recommendation – IGB Final Order

Chairman Jaffe stated that the other order of business is the administrative hearing in regard to Emerald Casino. Chairman Jaffe stated that the Board will take a vote on a final Board order in the case of: In Re: The Disciplinary Action of Emerald Casino, Inc. By its vote the Board will determine whether or not Emerald's license should be revoked. Chairman Jaffe stated that Administrative Law Judge Mikva held an extensive hearing, and the record of that hearing is quite extensive. The Chairman stated that the hearing is pursuant to a 5 count complaint. The Chairman also stated that each count alone is grounds for revocation. The Chairman stated that a final Board order has been prepared and the Board is ready to vote. The Chairman stated that the order contains the background on the case, findings of fact, statements of law and the counts under which the revocation hearing was based. Chairman Jaffe stated that the order will explain in great detail all the findings.

Pursuant to Section 3000.1155 of the Board's Adopted Rules, Member Gardner moved for **the adoption and entry of the attached Final Board Order revoking the Owner's License held by Emerald Casino, Inc. and setting forth therein our bases for revocation.** Member Sullivan seconded the motion.

Member Moore stated that the Gaming Board is a regulatory agency with limited powers. Member Moore stated that the minority investor individuals were wronged and implored the legislature to enable the minority investors to be a part of any future license or to recover their investments.

Member Gardner stated that he would like to thank Judge Mikva for his effort in conducting the hearings. Member Gardner stated that he reviewed the record in its entirety including the transcription of the proceedings and the related exhibits. Member Gardner stated that the record is clear. It is replete with deceit, misdirection, dissembling, lies and untruths. Member Gardner stated that Emerald and the people running Emerald are a stain on the gaming industry in Illinois and cannot be allowed to retain the license. Member Gardner stated that the timing of this decision; he regrets that the Board is making the decision on the eve of the holidays. Member Gardner stated that there are many innocent people affected by

this action. Member Gardner stated that this has gone on for far too long, 8 years. This is not the last step; this will carry on for some time. Member Gardner stated that there are innocent victims here, and we regret that, but there are avenues and opportunities for recovery for them.

Member Sullivan stated that he expresses his concerns in reference to the wronged statutory investors.

Member Winkler stated that the statutory investors have been wronged by Emerald and regrets making the decision to revoke the license, but it is the problem of the Illinois General Assembly. Member Winkler stated that the Board does not have the authority nor the money to give to the minority investors, and the back room deal that was made in Springfield all along the way for this license is a shame for the State of Illinois. Member Winkler stated that with regret he will vote to revoke Emerald's license.

Chairman Jaffe stated that it should be noted that Emerald closed down and essentially has not been in existence in Illinois since 1997. Chairman Jaffe stated that the ones affected most by the Emerald license is the school children of the State of Illinois. Chairman Jaffe stated that the estimated amount lost for the school system is between a half billion and a billion dollars.

The Board approved the motion unanimously by roll call vote. Chairman Jaffe stated that the Order will be signed. See Final Board Order dated December 20, 2005.

At 11:55 p.m. Member Winkler moved to return to closed session. Member Gardner seconded the motion. The motion passed unanimously by roll call vote.

Respectfully submitted,  
Mary C. Boruta

Secretary to the Administrator